

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

Civil Action No.: 3:21-cv-01066

STATE OF FLORIDA,

Plaintiff,

v.

The UNITED STATES OF
AMERICA, et al,

Defendants.

REMOTE DEPOSITION OF:
ROBERT KYNOCH, 30(b)(6)

DATE: Wednesday, July 27, 2022

TIME: 10:26 a.m. - 12:21 p.m.

PLACE: Via Videoconference

TAKEN BEFORE: Teresa Wynn, Court Reporter
and Notary Public

Job No. CS5305328

1 through the process.

2 A Yeah. So, you know, we're going to ask for
3 -- so, you know, ask for identity documents from you.
4 That's typically going to be a certified copy of a birth
5 certificate. You know, if you're a citizen, we're going
6 to ask for two proofs of address. And then I think we
7 will go forward with, you know, asking you various
8 questions about your driving history, take your
9 photograph, give you the ability to register to vote.
10 We will collect our fees, our money for the driver's
11 license, and then we'll, you know, issue the card over
12 the counter.

13 Q What does Florida charge for a driver's
14 license?

15 A It's \$48.

16 Q So if a person is a noncitizen who comes in
17 to obtain a driver's license, what does that process
18 look like?

19 A So, again, in addition to having to supply --
20 supply identity documents, they would come in, they
21 would provide proof of whatever documents they would
22 have for lawful status. We would examine those
23 documents. And then our system is directly connected to
24 the Homeland Security SAVE system.

25 We would then attempt to verify their legal

1 presence. If that verifies in the SAVE system, then we
2 would issue them a credential over the counter, and then
3 the process of taking pictures and signing oaths and
4 things like that. They wouldn't be offered the
5 opportunity to vote. But it's a similar process.

6 Q Can a person who is here illegally obtain a
7 driver's license in the state of Florida?

8 A So anyone that obtains a driver's license or
9 an ID card that's a noncitizen has to have proof of
10 lawful status. If they don't have proof of lawful
11 status, they will not be issued a state identification
12 card or driver's license.

13 Q Are there any forms that a noncitizen fills
14 out when he or she comes into Motor Vehicles to obtain a
15 license on which they self-declare their immigration
16 status or citizenship status?

17 A No, not that I'm aware of.

18 Q So it's an oral process? They would come in
19 and say, These are my documents. Maybe it's a visa or
20 some other type of identification document. Is that how
21 the clerk on the other side would know that they're
22 dealing with a noncitizen as opposed to a citizen?

23 A Yes, it's going to be a conversation between
24 the clerk and the customer.

25 Q What are the types of identification

1 of which 313,607 were issuances of original IDs and
2 licenses and 431,595 were renewals."

3 Do you see that?

4 A Yes.

5 Q Does that \$745,000 -- excuse me, not dollar
6 -- 745,202 number for nonimmigrant IDs represent
7 separate individuals?

8 A No. It would be separate credentials.
9 Someone could have got -- if I could clarify that. They
10 could get a driver's license, come back a year later and
11 renew it. So it would be one person but with two
12 credentials.

13 Q That was what I was getting at. Thank you.

14 Do you know from that 745,202 number, how
15 many of those individuals entered the country at the
16 southwest border?

17 A No.

18 Q Do you know how many of them sought asylum?

19 A No.

20 Q Do you know how many of them were paroled
21 into the country?

22 A I don't believe so.

23 Q Do you know how many of them were released on
24 bond?

25 A No.

1 Q And do you know how many of them were
2 released by court order of a federal judge in response
3 to a habeas petition?

4 A No.

5 Q And does that mean that there were at least
6 372,000 and change dollars in costs associated with
7 running those SAVE searches for those individuals?

8 A Yes.

9 Q Okay. But fair to say you can't tell me how
10 many of those dollars are attributable to individuals
11 who were released on parole by the federal government
12 while awaiting asylum from removal proceedings?

13 A I think that's correct.

14 Q In terms of funding, we talked a little bit
15 about that before, because you had mentioned grants.
16 The costs that are paid to the SAVE system, how are they
17 funded?

18 A They are paid out of the Department's
19 operating trust fund.

20 Q Is that funds that are secured through the
21 payment of taxes?

22 A Largely through the payment of motor vehicle
23 titles and registrations.

24 Q Is that, like, the \$48 that we talked about
25 earlier that someone pays for a license?

1 A Driver's license fees too, yes.

2 Q So if somebody who was a noncitizen, an
3 immigrant, was entitled to obtain a driver's license and
4 a SAVE search was conducted for them and they come back
5 as verified and they are entitled to get a license, they
6 too would pay the \$48, correct?

7 A In most instances. The only caveat could be
8 there are some exceptions in state law where if you're
9 homeless, if you're at 100 percent of the poverty level,
10 there is some ability to give no-cost IDs to that
11 population.

12 But, generally speaking, yes, the -- most
13 people are going to pay the \$48 or the -- for an ID
14 card, it's \$25.

15 Q Do you know what percentage of individuals
16 who go through the SAVE system are verified verses
17 ultimately not verified?

18 A I don't.

19 Q Is there a readily accessible way of
20 obtaining that information for a given period of time?

21 A I'm not certain.

22 Q I'm going to have the court reporter leave a
23 blank in the transcript, and if you're able to determine
24 from the period of January 2020 to the May 2022 period
25 the percentage of individuals who are not verified who